

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at GREENEVILLE

JANIE WAMPLER,

*Plaintiff,*

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

*Defendant.*

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Case No. 2:09-cv-5  
Judge Mattice

**ORDER**

United States Magistrate Judge William B. Mitchell Carter filed his Report and Recommendation [Court Doc. 15] pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). Plaintiff has filed timely objections [Court Doc. 16].

The Court has reviewed *de novo* those portion of Magistrate Judge Carter's Report and Recommendation to which an objection has been made. Fed. R. Civ. Proc. 72(b). The Court finds that Plaintiff's objections raise no new arguments but are simply a reargument of issues previously raised in Plaintiff's Motion for Summary Judgment and which were fully addressed in the Report and Recommendation. The Court finds that further analysis of these same arguments would be merely cumulative and is unwarranted in light of Magistrate Judge Carter's well-reasoned and well-supported Report and Recommendation.

Accordingly, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Carter's findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and Rule 72(b). Plaintiff's objections [Court Doc. 16] are **OVERRULED**. Plaintiff's Motion for Summary Judgment [Court Doc. 8] is **DENIED**. Defendant's Motion for Summary Judgment [Court

Doc. 13] is **GRANTED**. The Commissioner's denial of benefits is **AFFIRMED** and the instant action is **DISMISSED WITH PREJUDICE**. The Clerk shall close the case.

**SO ORDERED** this 19th day of January, 2010.

/s/Harry S. Mattice, Jr.  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE